UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,154	11/07/2000	Daniel L. Owen	STRATP001	9971

28875   7590   07/03/2003

SILICON VALLEY INTELLECTUAL PROPERTY GROUP
P.O. BOX 721120
SAN JOSE, CA   95172-1120

EXAMINER
HOLMES, MICHAEL B

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 November 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 November 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner's Detailed Office Action

1.   This action is responsive to application **09/708,154,** filed **November 07, 2000**.

2.   **Claims 1-27** have been examined.

Information Disclosure Statement

3.   Applicant is respectfully remind of the ongoing Duty to disclose 37 C.F.R. 1.56 all

pertinent information and material pertaining to the patentability of applicant's claimed in-

vention, by continuing to submitting in a timely manner PTO-1449, Information Disclosure

Statement (IDS) with the filing of applicant's of application or thereafter.

Drawings

4.   The formal drawings have been reviewed by the United States Patent and Trademark

Office of Draftperson's Patent Drawings Review.

Specification

5.   The specification has not been checked to the extent necessary to determine the presence

of all possible minor errors. Applicant's cooperation is required in correcting any errors of which

applicant may become aware in the specification. Appropriate correction is required.

Claim Interpretation

6.   Office personnel are to give claims their "broadest reasonable interpretation" in light

of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28

(Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not

read into the claim. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551(CCPA

1969). See *also In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322(Fed. Cir. 1989)

("During patent examination the pending claims must be interpreted as broadly as their terms

reasonably allow. . . . The reason is simply that during patent prosecution when claims can be

amended, ambiguities should be recognized, scope and breadth of language explored, and clari-

fication imposed. . . . An essential purpose of patent examination is to fashion claims that are

precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be

removed, as much as possible, during the administrative process."). *see* MPEP § 2106

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> **(b) the invention was patented** or **described** in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.   Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by

McAndrew et al. (USPN 5,517,405), Filed: October 14, 1993, Date of Patent: May 14, 1996.

Regarding claim 1, McAndrew et al. discloses, a method for providing a collaborative deci-

sion platform adapted to run on a computer, comprising the steps of: (a) executing an applica-

tion capable of performing decision logic [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6,

line 29)]; (b) retrieving information from a database in accordance with the decision logic [(Fig.

1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]; (c) receiving information from a user

in accordance with the decision logic utilizing a user inter- face [(Fig. 1 & Fig. 2; (Abstract);

(col. 5, line 50 to col. 6, line 29)]; (d) processing the information utilizing the decision logic

[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]; and (e) wherein steps (a)-(d)

are carried out by a collaborative decision platform capable of accomplishing steps (b)-(d) for

different purposes by executing different applications each capable of performing different

decision logic. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 2, McAndrew et al. discloses, the method as recited in claim 1, wherein the collaborative decision platform communicates with the application through a standard interface protocol. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 3, McAndrew et al. discloses, the method as recited in claim 1, wherein the information is retrieved and received via a network. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 4, McAndrew et al. discloses, the method as recited in claim 3, wherein the network is the Internet. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 5, McAndrew et al. discloses, the method as recited in claim 1, wherein the purpose is selected from the group consisting of real estate-related, medical-related, corporate-related, and financial-related. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 6, McAndrew et al. discloses, the method as recited in claim 1, and further comprising the step of collecting data from the decision logic for generating visual displays of a decision hierarchy and an influence diagram. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 7, McAndrew et al. discloses, the method as recited in claim 6, wherein the user is prompted to approve the visual displays of the decision hierarchy and the influence diagram. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 8, McAndrew et al. discloses, the method as recited in claim 7, wherein the data includes (a) policies that form boundary conditions associated with the decision logic, (b) strategic decisions to be made, (c) values that are important to the user, (d) uncertainties that may impact the values, and a relationship between (a)-(d). [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 9, McAndrew et al. discloses, the method as recited in claim 6, and further comprising the step of creating a strategy table using the data. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 10, McAndrew et al. discloses, the method as recited in claim 8, and further comprising the step of assessing the uncertainties for analysis purposes. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 11, McAndrew et al. discloses, the method as recited in claim 1, and further comprising the step of generating a tornado diagram and decision sensitivity output displays.

Regarding claim 12, McAndrew et al. discloses, the method as recited in claim 1, wherein the decision logic provides potential feasible hybrid themes. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 13, McAndrew et al. discloses, the method as recited in claim 1, wherein the steps (b)-(d) are carried out using universal modules capable of interfacing with different applications. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

·Regarding claim 14, McAndrew et al. discloses, a computer program product for providing a collaborative decision platform adapted to run on a computer, comprising: (a) computer code for executing an application capable of performing decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (b) computer code for retrieving information from a database in accordance with the decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (c) computer code for receiving information from a user in accordance with the decision logic utilizing a user interface **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (d) computer code for processing the information utilizing the decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; and (e) wherein computer code segments (a)-(d) are carried out by a collaborative decision platform capable of executing computer code segments (b)-(d) for different purposes by executing different applications each capable of performing different decision logic. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 15, McAndrew et al. discloses, the computer program product as recited in claim 14, wherein the collaborative decision platform communicates with the application through a standard interface protocol. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 16, McAndrew et al. discloses, the computer program product as recited in claim 14, wherein the information is retrieved and received via a network. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 17, McAndrew et al. discloses, the computer program product as recited in claim 16, wherein the network is the Internet. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 18, McAndrew et al. discloses, the computer program product as recited in claim 14, wherein the purpose is selected from the group consisting of real estate-related, medical-related, corporate-related, and financial-related. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 19, McAndrew et al. discloses, the computer program product as recited in claim 14, and further comprising computer code for collecting data from the decision logic for generating visual displays of a decision hierarchy and an influence diagram. [(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]

Regarding claim 20, McAndrew et al. discloses, the computer program product as recited in claim 19, wherein the user is prompted to approve the visual displays of the decision hierarchy and the influence diagram. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 21, McAndrew et al. discloses, the computer program product as recited in claim 20, wherein the data includes (a) policies that form boundary conditions associated with the decision logic, (b) strategic decisions to be made, (c) values that are important to the user, (d) uncertainties that may impact the values, and a relationship between (a)-(d). **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 22, McAndrew et al. discloses, the computer program product as recited in claim 19, and further comprising computer code for creating a strategy table using the data. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 23, McAndrew et al. discloses, the computer program product as recited in claim 22, and further comprising computer code for assessing the uncertainties for analysis pururposes.

Regarding claim 24, McAndrew et al. discloses, the computer program product as recited in claim 14, and further comprising computer code for generating a tornado diagram and decision sensitivity output displays.

Regarding claim 25, McAndrew et al. discloses, the computer program product as recited in claim 14, wherein the decision logic provides potential feasible hybrid themes. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 26, McAndrew et al. discloses, the computer program product as recited in claim 14, wherein computer code segments (b)-(d) are carried out using universal modules capable of interfacing with different applications. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Regarding claim 27, McAndrew et al. discloses, a system for providing a collaborative decision platform adapted to run on a computer, comprising: (a) logic for executing an application capable of performing decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (b) logic for retrieving information from a database in accordance with the decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (c) logic for receiving information from a user in accordance with the decision logic utilizing a user interface **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; (d) logic for processing the information utilizing the decision logic **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**; and (e) wherein logic elements (a)-(d) are carried out by a collaborative decision platform capable of performing logic elements (b)-(d) for different purposes by executing different applications each capable of performing different decision logic. **[(Fig. 1 & Fig. 2; (Abstract); (col. 5, line 50 to col. 6, line 29)]**

Conclusion

9.   The prior art made of record and (listed of form PTO-892) not relied upon is considered

pertinent to applicant's disclosure e.g., **Amado (USPN 5,537,590 & 5,701,400)** as follows.

Applicant or applicant's representative is respect- fully reminded that in process of patent

prosecution i.e., amending of claims in response to a rejection of claims set forth by the

Examiner per Title 35 U.S.C. The patentable novelty must be clearly shown in view of the state

of the art disclosed by the references cited and any objections made. Moreover, applicant or

applicant's representative must clearly show how the amendments

avoid or overcome such references and objections. *See* **37 CFR § 1.111(c)**.

Correspondence Information

10.   Any inquiries concerning this communication or earlier communications from the

examiner should be directed to **Michael B. Holmes** who may be reached via telephone at

(703) 308-6280. The examiner can normally be reached Monday through Friday between

8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final

issues, please send it to **(703) 746-7238**. If you need to send an Official facsimile trans-

mission, please send it to **(703) 746-7239**. If you would like to send a Non-Official (draft)

facsimile transmission the fax is **(703) 746-7240**. If attempts to reach the examiner by tele-

phone are unsuccessful, the **Examiner's Supervisor, John Follansbee**, may be reached

at **(703) 305-8498**.

Any response to this office action should be mailed too:

Director of Patents and Trademarks Washington, D.C. 20231. Hand-delivered

responses should be delivered to the Receptionist, located on the fourth floor of

Crystal Park II, 2121 Crystal Drive Arlington, Virginia.

Michael B. Holmes
Patent Examiner
Artificial Intelligence
Art Unit 2121
United States Department of Commerce
Patent & Trademark Office

PAUL P. GORDON
PRIMARY EXAMINER